

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HELAYNE SEIDMAN,

Plaintiff,

- against -

GAX PRODUCTIONS, LLC,

Defendant.

Exhibit 2

1:18 Civ. 2048 RA-BCM

**PLAINTIFF'S SECOND AMENDED
RESPONSES AND OBJECTIONS
TO DEFENDANT'S FIRST SET
OF DOCUMENT REQUESTS**

Plaintiff Helayne Seidman ("Seidman") hereby responds and objects to Defendant Gax Productions, LLC, First Set of Document Requests, dated July 3, 2018, pursuant to Federal Rules of Civil Procedure Rules 26 and 34, as well as Local Civil Rules of the United States District Court for the Southern District of New York.

GENERAL OBJECTIONS

Seidman makes the following General Objections to Defendants' Requests. These General Objections and Specific Objects do not have the effect of waiving each other.

1. Seidman objects to Requests that are redundant and have already been provided.
2. Seidman objects to vague, overbroad, irrelevant requests that are not tailored to the issues and subject matter of this litigation.
3. Seidman objects to Requests for documents she has no possession, control or access of.
4. Seidman objects to Requests for documents where she owes a duty of confidentiality to a non-party, including contracts, agreements, licenses and payments thereupon.

5. Seidman objects requests for speculative production, including estimates for loss of opportunity and catchall requests intended to circumvent tailoring its requests.
6. Seidman objects that she does not waive any objections even if she choses to provide responses to the Defendant's requests. All responses are subject to General and Specific objections stated herein.
7. Seidman objects to Requests for documents to the extent they are abusive, excessive and interposed with the intent to harass the Plaintiff.

SPECIFIC OBJECTIONS AND RESPONSES

1. All documents related to the relationship between the Plaintiff and the *New York Post* at the time the photograph that is the subject of this lawsuit was taken.

RESPONSE: OBJECTION. Plaintiff will produce non-privileged documents responsive to this request.

2. All documents between the Plaintiff and the *New York Post* related to the photograph that is the subject of this lawsuit.

RESPONSE: OBJECTION. This request is redundant. Plaintiff will produce non-privileged documents responsive to this request.

3. All documents that evidence an impact on the potential market for, or value of, Plaintiff's photograph and financial harm to the Plaintiff related to Defendant's use of the photograph.

RESPONSE: OBJECTION. Plaintiff does not have documents responsive to this request.

4. All documents related to the licensing and/or use of the photograph that is the subject of this lawsuit, including the nature of each use, the media platform on which the photograph appeared, and the amount of money the Plaintiff received for each use.

RESPONSE: OBJECTION. This request is redundant. Plaintiff will produce non-privileged documents responsive to this request.

5. All documents to third parties that reference the photograph that is the subject of this lawsuit.

RESPONSE: OBJECTION. This request is redundant, other than the NYPost there are no other documents to third parties. Plaintiff will produce documents related to the NYPost.

6. All documents related to expert witnesses with whom Plaintiff or Plaintiff's attorney has consulted, including, those persons you expect to call as an expert witness at trial.

RESPONSE: OBJECTION. Plaintiff does not have any responsive documents at this time.

7. All documents upon which any expert witness Plaintiff intends to call at trial relied to form an opinion.

RESPONSE: OBJECTION. Plaintiff does not have any responsive documents at this time.

DATED: September 12, 2018
Valley Stream, NY

Respectfully Submitted,

/s/Richard Liebowitz
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